



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,336	08/31/2000	Kenichi Takekawa	196124US2	4688
22850	7590	01/14/2005	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				SHAPIRO, LEONID
ART UNIT		PAPER NUMBER		
2673				

DATE MAILED: 01/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/653,336	TAKEKAWA ET AL.	
	Examiner	Art Unit	
	Leonid Shapiro	2673	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 03 September 2004.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-38 is/are pending in the application.
 4a) Of the above claim(s) 1-20, 25 and 26 is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 21-24 and 27-38 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakazawa et al. (US Patent No. 6,492,633) in view of Flowers et al. (US Patent No. 4,918,262).

As to claim 21, Nakazawa et al. teaches a coordinate input-detecting apparatus including a touch panel to be touched by a pointer, coordinate input-detecting apparatus (Col. 1, Lines 7-10) comprising:

a substantially flat two-dimensional coordinate input-detecting area configured to receive insertion of the pointer, substantially flat two-dimensional coordinate input-detecting area being formed in front of the touch panel and having a prescribed depth (See Fig. 1-2, items 10, S, Col. 4, Lines 30-38);

an optical unit, configured optically detect the pointer inserted into the coordinate input detecting area and to generate a detection signal based on the detection (See Fig. 1, items 1a, 1b, 3a, 3b, 10, S, Col. 4, Lines 39-63); and

a controller configured to calculate coordinates designated by the pointer in accordance with detection signal (See Fig. 3, item 5 and Fig. 9, items 1a, 1b, P, from Col. 10, Line 55 to Col. 11, Line 40);

wherein controller calculates the coordinates based on detection signal exceeding a second threshold value (See Fig. 4, items 5, 32a-35a, Ref and Fig. 6, item Ref), the second threshold value (in the reference is equivalent to Ref) being changed in accordance with a distance between the pointer and the optical unit (in the reference decreases with elapse time (scanning angle becomes smaller) from the start operation is equivalent to the distance) (See Fig. 7, item Ref, Col. 9, Lines 51-53),

and wherein a lowest level of second threshold value enables detection of the pointer at a farthest point from the optical unit (See Figs. 6(a), 7(b), items Q00, Ref, OUTPUT SIGNAL, Col. 9, Lines 36-45).

Nakazawa et al. does not show optical unit recognize insertion of the pointer when detection signal exceeds a first predetermined threshold value, allowing a coordinate calculation operation.

Flowers et al. teaches optical unit recognize insertion of the pointer when detection signal exceeds a first predetermined threshold value (See Fig. 5, item 1, Col. 8, Lines 7-16), allowing a coordinate calculation operation (See Fig. 5, item A, Col. 8, Lines 16-19 and Fig. 2, item 23).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate teaching of Flowers et al. into Nakazawa et al. system in order to utilize plural thresholds for tracking (see Col. 2, Lines 55-58 in the Flowers et.al. reference).

As to claim 22, Nakazawa et al. teaches the detection signal exceeds the second threshold value when the pointer almost contacts the touch panel (See Fig. 7, items Ref, Q00, Col. 10, Lines 6-12).

As to claims 23-24, Nakazawa et al. teaches the second threshold unit (in the reference is equivalent to Ref) is determined in accordance with a distance between the pointer and the optical unit (in the reference decreases with elapse time (scanning angle becomes smaller) from the start operation is equivalent to the distance) (See Fig. 7, item Ref, Col. 9, Lines 51-53).

2. Claims 27-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakazawa et al. and Flowers et al. as aforementioned to claims 21-24 above and in view Fumihiko et al. (JP No.09319501 A).

As to claim 27-30, Nakazawa et al. and Flowers et al. do not teach about first and second optical devices each having a light source and a light acceptance unit, wherein the second threshold value is set and used in comparing with detection signals generated by a the first and second optical units.

Fumihiko et al. shows two optical units installed in adjacent corners (See Drawing 1, items 1-3, k1. k2 and Detailed description, 0007).

It would have been obvious to one having ordinary skill in the art at the time of the invention to use first and second optical units, as shown by Fumihiko et al. Nakazawa et al. and Flowers et al. device to provide a miniaturized high-reliability detector of simple configuration (See Problem to be solved in Fumihiko et al. reference).

As to claim 31-34, Nakazawa et al. teaches optical units include reflection mirrors each disposed on prescribed sides of the coordinate input-detecting area, reflection mirrors having surfaces whose every portions return light beam to the light source (See Fig. 1, item 7, Col. 4, Line 39-51).

Nakazawa et al. and Flowers et al. do not show optical units being disposed at corners on the coordinate input detecting area.

Fumihiko et al. teaches optical units being disposed at corners on the coordinate input detecting area (See Drawing 1, items 1-3, k1. k2 and Detailed description, 0007).

It would have been obvious to one having ordinary skill in the art at the time of the invention to use optical units being disposed at corners on the coordinate input detecting area, as shown by Fumihiko et al. in Nakazawa et al. and Flowers et al. device to provide a miniaturized high-reliability detector of simple configuration (See Problem to be solved in Fumihiko et al. reference).

As to claims 35-38, Nakazawa et al. teaches optical unit further includes a probe light generating device configured to generate and swing and irradiate probe lights toward the reflection mirrors (See Fig. 2, items 11a, 11b, from Col. 4, Line 61 to Col. 5, Line 13).

Response to Amendment

3. Applicant's arguments filed on 09.03.04 with respect to claims 21-24, 27-38 have been considered but are moot in view of the new ground(s) of rejection.

Telephone inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonid Shapiro whose telephone number is 703-305-5661. The examiner can normally be reached on 8 a.m. to 5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 703-305-4938. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ls 01.03.05



VIJAY SHANKAR
PRIMARY EXAMINER